

## **4VAC15-50-71. Game: Bear: Muzzleloading Gun Hunting.**

### **Summary:**

The proposal is to update the definition of a muzzleloader to current technological standards.

### **Proposed language of amendment:**

#### **4VAC15-50-71. Muzzleloading Gun Hunting.**

A. It shall be lawful to hunt bears during the special muzzleloading season with muzzleloading guns from the Saturday prior to the second Monday in November through the Friday prior to the third Monday in November, both dates inclusive, except in the Cities of Chesapeake, Suffolk, and Virginia Beach.

B. It shall be unlawful to hunt bear with dogs during any special season for hunting with muzzleloading guns, except that tracking dogs as defined in § 29.1-516.1 of the Code of Virginia may be used.

C. A muzzleloading gun, for the purpose of this section, means a single shot weapon, ~~.45 caliber or larger,~~ firing a single projectile or sabot (with a ~~.38~~ .35 caliber or larger projectile) ~~of the same caliber loaded from the muzzle of the weapon and propelled by at least 50 grains of black powder (or black powder equivalent or smokeless powder).~~

D. It shall be unlawful to have in immediate possession any firearm other than a muzzleloading gun while hunting with a muzzleloading gun in a special muzzleloading season.

### **Rationale:**

In 2017, the minimum size for muzzleloading rifle sabot projectiles for deer hunting was changed from .38 caliber or larger to .35 caliber or larger. This change was made because certain bullets used in .38 caliber muzzleloaders actually measure 0.358 in diameter. Due to an oversight, bear muzzleloader requirements were not updated at that time. Staff proposes removing the minimum bore size for muzzleloaders, while retaining the minimum .35 caliber projectile size for deer and bear. This will allow those with muzzleloading weapons to fire the same projectiles, though from a smaller bore size if they so choose.

Further, either smokeless or black powder is currently allowed for muzzleloader hunting. The existing minimum of 50 grains of powder is logical for those using black powder, but smokeless powder is a more powerful propellant; depending on the type of smokeless powder, as little as 10-15 grains can propel a projectile to kill big game in an ethical manner. A realistic minimum requirement for smokeless powders would be difficult to determine, since there exist vast differences in burn rate and applicable charges among smokeless powders, and requiring a specific minimum charge could be dangerous when used with the wrong type of powder, especially smokeless.